

**House File 2077 - Introduced**

HOUSE FILE 2077

BY ISENHART

**A BILL FOR**

1 An Act subjecting the sale of appliances or other products  
2 labeled as energy star certified but meeting outdated  
3 certification specifications to consumer fraud provisions  
4 and providing a penalty.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 714.16, subsection 2, Code 2011, is  
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. o. It is an unlawful practice for  
4 a person to sell or advertise for sale an appliance or  
5 product identified or labeled as having achieved energy  
6 star certification unless the appliance or product meets  
7 the most recently revised specifications established for  
8 the designation of such certification. For the purposes of  
9 this paragraph, "*energy star certification*" means meeting  
10 energy efficiency standards and guidelines pursuant to the  
11 energy star program developed and jointly administered by the  
12 United States environmental protection agency and the United  
13 States department of energy. Appliances or products meeting  
14 previously applicable or outdated certification specifications  
15 shall have energy star identification or labeling removed prior  
16 to sale.

17 EXPLANATION

18 This bill provides that it is an unlawful practice under  
19 consumer fraud provisions contained in Code section 714.16  
20 for a person to sell or advertise for sale an appliance or  
21 product identified or labeled as having achieved energy star  
22 certification unless the appliance or product meets the most  
23 recently revised specifications established for the designation  
24 of such certification. The bill defines "*energy star*  
25 *certification*". The bill provides that appliances or products  
26 meeting previously applicable or outdated certification  
27 specifications shall have energy star identification or  
28 labeling removed prior to sale, as that term is defined in Code  
29 section 714.16.

30 A violation of consumer fraud provisions under Code section  
31 714.16, subsection 2, is punishable by a civil penalty of up to  
32 \$40,000 per violation and a civil penalty of up to \$5,000 for  
33 each day of intentional violation of a temporary restraining  
34 order, preliminary injunction, or permanent injunction.